

**Introduced by Senator Wiggins**

February 19, 2010

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An act to amend Sections 2550, 2551, 2555, and 2557 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1418, as introduced, Wiggins. Transportation: motorist aid services.

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol.

This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway emergencies and would delete the provisions authorizing only excess

moneys to be used for additional motorist aid services and would instead authorize moneys from the service authority fee on vehicles to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, a call box system, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists in specified parking or roadway areas in mutually agreed upon state and federal parks. The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation and the Department of the California Highway Patrol unless rejected within 120 days of receipt of the amendment.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 2550 of the Streets and Highways Code  
2 is amended to read:

3 2550. The Legislature declares that its intent in enacting this  
4 chapter is to encourage the placement of call boxes *services that*  
5 *directly aid motorists* along the California Freeway freeway and  
6 Expressway System ~~to enable motorists in need of aid to obtain~~  
7 ~~assistance expressway system.~~ However, it is not intended that a  
8 ~~motorist aid system of call boxes~~ *any services provided* be  
9 considered an emergency telephone system.

10 SEC. 2. Section 2551 of the Streets and Highways Code is  
11 amended to read:

12 2551. (a) A service authority for ~~freeway emergencies~~ *freeways*  
13 *and expressways* may be established in any county if the board of  
14 supervisors of the county and the city councils of a majority of the  
15 cities within the county having a majority of the population of  
16 cities within the county adopt resolutions providing for the  
17 establishment of the authority.

18 (b) The resolutions may designate the county transportation  
19 commission for the county, created pursuant to Division 12

(commencing with Section 130000) of the Public Utilities Code or council of governments formed pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, as the service authority for ~~freeway emergencies~~ *freeways and expressways*. The powers of a commission or council of governments so designated are limited to those of the service authority.

(c) (1) The Metropolitan Transportation Commission may function as the service authority for ~~freeway emergencies~~ *freeways and expressways* in any or all of the Counties of Santa Clara, San Mateo, Alameda, Contra Costa, Marin, Solano, Sonoma, Napa, and the City and County of San Francisco upon adoption of a resolution by the commission to act as a service authority and upon ratification of the commission's resolution in a particular county by the board of supervisors of the city and county or by the board of supervisors of the county and by the city councils of the cities within the county having a majority of the population of the cities within the county.

(2) *The Metropolitan Transportation Commission may also exercise, as the service authority in any of those counties, the power to strategically place call boxes to assist motorists in parking or roadway areas in mutually agreed upon state and federal parks where telecommunication services are not available.*

(d) (1) The Sacramento Area Council of Governments may function as the service authority for ~~freeway emergencies~~ *freeways and expressways* in any or all of the Counties of Sacramento, Yolo, Yuba, Sutter, and San Joaquin, or any other county that is not within another multicounty service authority, upon adoption of a resolution by the council to act as a service authority and upon ratification of the resolution in a particular county by the board of supervisors of the county and by the city councils of the cities within the county having a majority of the population of the cities within the county.

(2) The Sacramento Area Council of Governments may also exercise, as a service authority, in any of those counties, the powers specified in Section 891.5 pertaining to ~~callboxes~~ *call boxes* on class 1 bikeways.

(e) As used in this chapter, "authority" and "service authority" mean a service authority for ~~freeway emergencies~~ *freeways and expressways* created pursuant to this chapter.

1 SEC. 3. Section 2555 of the Streets and Highways Code is  
2 amended to read:

3 2555. An authority may impose a fee of ~~one dollar (\$1)~~ *up to*  
4 *two dollars (\$2)* per year, *in one dollar (\$1) increments*, on vehicles  
5 registered in the county pursuant to Section 9250.10 of the Vehicle  
6 Code.

7 SEC. 4. Section 2557 of the Streets and Highways Code is  
8 amended to read:

9 2557. (a) Except as provided in ~~subdivisions~~ *subdivision (c)*  
10 ~~and (d)~~, the moneys received by each authority pursuant to  
11 subdivision (b) of Section 9250.10 of the Vehicle Code shall be  
12 used for the implementation, maintenance, and operation of ~~a~~  
13 ~~motorist aid system of call boxes~~ *systems, projects, and programs*  
14 *to aid and assist motorists, including, but not limited to, a call box*  
15 *system, freeway service patrol, mobile roadside assistance systems,*  
16 *intelligent transportation systems, incident management programs*  
17 *and coordination, traveler information system programs, and*  
18 *support for traffic operation centers*, including the lease or  
19 lease-purchase of facilities and equipment for the system, *project,*  
20 *or program* on the portions of the ~~California Freeway and~~  
21 ~~Expressway System~~ *state freeway and expressway system* and a  
22 county expressway system, and the unincorporated county roads  
23 in that county, and on state highway routes that connect segments  
24 of these systems, which are located within the county in which the  
25 authority is established. ~~The Department of Transportation and~~  
26 ~~the Department of the California Highway Patrol shall each review~~  
27 ~~and approve plans for implementation of a motorist aid system of~~  
28 ~~call boxes proposed for any state highway route and shall be~~  
29 ~~reimbursed by the service authority for all costs incurred due to~~  
30 ~~review and approval of the plan.~~

31 (b) An authority or any other public entity may construct and  
32 maintain, and lease or lease-purchase on terms and conditions it  
33 deems appropriate, the facilities of a motorist aid system, *project,*  
34 *or program* or it may contract with a private person or entity to  
35 do so.

36 (c) If leases or lease-purchase agreements are entered into  
37 pursuant to subdivision (a), or if revenue bonds are issued and sold  
38 pursuant to Section 2558, the moneys received by each authority  
39 pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code  
40 shall be used to the extent necessary to make lease payments or to

1 pay the principal of, and interest on, the amount of bonded  
2 indebtedness outstanding, as the case may be. Facilities and  
3 equipment acquired through the expenditure of proceeds from the  
4 sale of those bonds shall have a useful life at least equal to the  
5 term of the bonds.

6 ~~(d) (1) Any money received by an authority pursuant to~~  
7 ~~subdivision (b) of Section 9250.10 of the Vehicle Code that~~  
8 ~~exceeds the amount needed for full implementation and ongoing~~  
9 ~~costs to maintain and operate the motorist aid system of call boxes,~~  
10 ~~installed pursuant to subdivision (a), may be used for purposes of~~  
11 ~~paragraph (2) and for additional motorist aid services or support,~~  
12 ~~including, but not limited to, the following safety-related projects:~~

13 ~~(A) Changeable message signs.~~

14 ~~(B) Lighting for call boxes.~~

15 ~~(C) Support for traffic operations centers.~~

16 ~~(D) Contracting for removal of disabled vehicles from the~~  
17 ~~traveled portion of the right-of-way, including operation of the~~  
18 ~~freeway service patrol pursuant to Chapter 15 (commencing with~~  
19 ~~Section 2560).~~

20 ~~(2)~~

21 *(d) The Department of Transportation and the Department of*  
22 *the California Highway Patrol shall each review and approve*  
23 *plans for implementation of a motorist aid network of call boxes*  
24 *proposed for any state highway route and shall be reimbursed by*  
25 *the service authority for all costs incurred due to review and*  
26 *approval of the plan. Any amendment to an existing plan for a*  
27 *motorist aid system network of call boxes adopted by an authority*  
28 *for any state highway route shall, prior to implementation, be*  
29 *submitted to the Department of Transportation and the Department*  
30 *of the California Highway Patrol for review and approval and shall*  
31 *not be implemented until so reviewed and approved. The authority*  
32 *shall reimburse each department for the costs of that review. Any*  
33 *amendment to an existing plan for a motorist aid network of call*  
34 *boxes adopted by an authority shall be deemed to be approved by*  
35 *the Department of Transportation and the Department of the*  
36 *California Highway Patrol unless otherwise rejected within 120*  
37 *days of receipt of the amendment.*

38 (e) An authority may develop policies for the retention of  
39 records, including, but not limited to, authority operations,  
40 contracts, and programs, and the length of the retention period.

1 (f) A motorist aid—~~system~~ *call box network* constructed,  
2 maintained, or operated pursuant to this section shall meet the  
3 applicable standards of Title II of the Americans with Disabilities  
4 Act of 1990 (Public Law 101-336) and federal regulations adopted  
5 pursuant thereto.

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